

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 CALIFORNIA EXPANDED METAL  
11 PRODUCTS COMPANY, a California  
corporation; and CLARKWESTERN  
12 DIETRICH BUILDING SYSTEMS LLC, dba  
CLARKDIETRICH BUILDING SYSTEMS, an  
13 Ohio limited liability company

**Plaintiffs.**

V.

16 JAMES A. KLEIN, an individual;  
17 BLAZEFRAME INDUSTRIES, LTD, a  
Washington Company, and SAFTI-SEAL,  
INC., a Washington company,

Defendants,

Case No. 2:18-cv-00659-JLR

**STIPULATED MOTION AND  
ORDER TO EXTEND TIME TO  
RESPOND TO AMENDED  
ANSWER AND  
COUNTERCLAIMS**

NOTE ON MOTION CALENDAR:  
June 28, 2018

Plaintiffs California Expanded Metal Products Company (“CEMCO”) and Clarkwestern Dietrich Building Systems LLC, d.b.a. ClarkDietrich Building Systems (“ClarkDietrich”) (collectively “Plaintiffs”), by and through their counsel of record and pursuant to Local Civil Rule 7(d)(1) and Federal Rule of Civil Procedure 15, move the Court to extend the time for Plaintiffs to respond to Defendants James A. Klein (“Klein”), BlazeFrame Industries, Ltd. (“BlazeFrame”), and Safti-Seal, Inc.’s (“Safti-Seal”) (collectively, “Defendants”) Amended Answer and Counterclaims.

Motion and Order to Extend Time  
Case No. 2:15-cv-01096-JLR

The Hon. James. L. Robart

1 **STIPULATED MOTION TO EXTEND TIME TO RESPOND TO AMENDED ANSWER**  
2 **AND COUNTERCLAIMS**

3 Rule 15(a)(3) of the Federal Rules of Civil Procedure provides that when a party has filed  
4 an amended pleading to which a responsive pleading is required, “[u]nless the court orders  
5 otherwise, any required response to an amended pleading must be made . . . within 14 days after  
6 service of the amended pleading, whichever is later.”

7 On June 15, 2018, Defendants filed an Amended Answer and Counterclaims (ECF No. 71).  
8 Plaintiffs’ responsive pleading is presently due on June 29, 2018.

9 Pursuant to LCR 10(g) the parties advise the Court that the extension of time for Plaintiffs  
10 to respond is needed because the parties are still addressing certain of Defendants’ affirmative  
11 defenses.

12 The parties agreed to extend the deadline for Plaintiffs to file their responsive pleading up  
13 to and until July 9, 2018.

14   
15   
16   
Respectfully submitted,  
TROJAN LAW OFFICES  
by

17 June 28, 2018 /s/ R. Joseph Trojan  
18 R. Joseph Trojan (*pro hac vice*)  
9250 Wilshire Blvd.  
19 Beverly Hills, CA  
Attorney for Plaintiff,  
20 CALIFORNIA EXPANDED METAL PRODUCTS  
COMPANY

21   
22 June 28, 2018 /s/ Brian Bodine  
23 Brian Bodine (WSBA No. 22414)  
LANE POWELL PC  
1420 Fifth Avenue, Suite 4200  
24 Seattle, WA 98111  
Telephone: 206-223-7000  
25 Attorney for Plaintiff,  
26 CALIFORNIA EXPANDED METAL PRODUCTS  
COMPANY

The Hon. James. L. Robart

1

2 June 28, 2018

/s/ Ann G. Schoen

3 Ann G. Schoen (*pro hac vice*)  
4 FROST BROWN TODD LLC  
5 301 East Fourth Street, Suite 3300  
6 Cincinnati, OH 45202  
7 Telephone: 513-651-6128  
8 Attorney for Plaintiff,  
9 CLARKWESTERN DIETRICH BUILDING  
10 SYSTEMS LLC

11

12 June 28, 2018

/s/ Robert J. Carlson

13 Robert J. Carlson (WSBA No. 18455)  
14 LEE & HAYES PLLC  
15 701 Pike Street, Suite 1600  
16 Seattle, WA 98101  
17 Telephone: 206-876-6029  
18 Attorney for Plaintiff,  
19 CLARKWESTERN DIETRICH BUILDING  
20 SYSTEMS LLC

21

22

23 June 28, 2018

/s/ Patrick C. Bageant

24 Patrick C. Bageant (No. 44268)  
25 HOLLYSTONE LAW  
26 1775 West State Street, #286  
27 Boise, ID 83702  
28 Telephone: 208-596-5343

29

30

31

32

33

34

35

36

37

38

39 Thomas E Loop (No. 27546)

40 LOOP INTELLECTUAL PROPERTY LAW  
41 1700 Seventh Avenue, Suite 2100  
42 Seattle, WA 98101  
43 Telephone: 206-568-3100

44

45

46

47

48

49 Thomas J. Lloyd, III (*pro hac vice*)

50 Greener Burke Shoemaker Oberrecht PA  
51 950 West Bannock Street Suite 950  
52 Boise, ID 83702  
53 Telephone: 208-319-2600

54

55

56

57

58

59 Attorneys for Defendants.

60

61

62

63

64

---

65 Motion and Order to Extend Time  
66 Case No. 2:15-cv-01096-JLR

The Hon. James. L. Robart

1

2

3

IT IS SO ORDERED

4

5

Dated: June 29, 2018

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

By:

The Honorable James A. Robart  
United States District Judge

1

2 **CERTIFICATE OF SERVICE**

3

4 I hereby certify that on June 28, 2018, I filed the foregoing document with the above-  
captioned court's CM/ECF system, which will cause it to be served electronically upon all counsel  
of record:

5

6 By: /s/ R. Joseph Trojan

7 0121667.0656744 4845-8624-7532v1

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28